



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
75 Hawthorne Street  
San Francisco, CA 94105

*File*

[DATE STAMP, CENTER]

APR 21 2004

CERTIFIED MAIL NO. 7001 0320 0002 4540 8158  
RETURN RECEIPT REQUESTED

**WARNING LETTER**

Thomas J. Bajema  
Director of Operations  
Brenntag West, Inc.  
10747 Patterson Place  
Santa Fe Springs, CA 90670  
EPA Identification Number: CAR 000 050 104

Dear Mr. Bajema:

On February 24, 2004, a hazardous waste compliance inspection was conducted by representatives of the United States Environmental Protection Agency ("EPA"), accompanied by a representative of the state of California's Certified Unified Public Agency (CUPA) Richard Kallman, Brenntag West, Inc., located in Santa Fe Springs, California, with EPA Identification Number CAR 000 050 104. During the course of this investigation, information was gathered in accordance with Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), as amended {42 U.S.C. § 6927(a)}.

A copy of the inspection report is enclosed for your information and response. The report describes conditions at the facility at the time of the investigation, and identifies areas of noncompliance with RCRA regulations and potential violations of the State of California authorized program under RCRA Subtitle C and potential non-RCRA state violations. Any omissions in the report shall not be construed as a determination of compliance with any other applicable regulation.

Pursuant to Section 3008 of RCRA {42 U.S.C. § 6928}, you are required to correct the identified areas of noncompliance and to submit documentation of their correction to the EPA:

1. Provide EPA with copies of the job titles and job descriptions for those persons who handle hazardous waste at your facility. Also provide a written description of the type and amount of introductory and continuing training that will be given to each of these people.
2. Provide EPA with documentation that demonstrates that your facility has created a hazardous waste storage area that is separated from the production areas. Include in this documentation, photographs that show that the containers being staged in this

facility have adequate aisle space and appropriate labelling. If you decide not to create a new hazardous waste storage area, provide a standard operating procedure (or other document) which clearly outlines the steps that the facility has taken and the procedures implemented which will assure that aisle space will be maintained and containers will be properly labelled.

Documentation of your return to compliance may consist of, among other things, photographs, manifests, and revised records. Where compliance cannot be achieved within thirty (30) calendar days, you must provide to the EPA the reasons for the delay, a description of each corrective action planned, and a schedule on which each corrective action will be taken.

By copy of this letter, the EPA is providing the State of California with notice that the EPA may take appropriate enforcement action if the facility does not resolve the violations within the time specified above, and the State of California does not take appropriate enforcement action. The State of California may notify the EPA of its intent to assume or decline responsibility to take such action to resolve the referenced RCRA Subtitle C violations.

The EPA reserves the right to take further enforcement action as it deems appropriate. However, your response to this letter will be considered in determining the need for further enforcement action. RCRA Subtitle C violations such as those listed in the Enclosure may be punishable by civil and criminal actions, including penalties of up to \$32,500 per day for each violation, as provided by Section 3008 of RCRA.

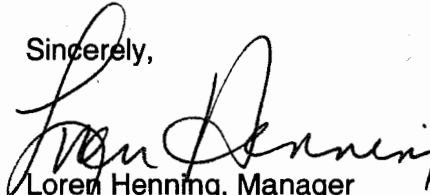
The EPA routinely provides copies of inspection reports to state or tribal agencies, and upon request, to the public. Such releases are handled according to the Freedom of Information Act regulations, 40 C.F.R. Part 2, Subpart B. For any portion of the information included in this inspection report which is entitled to confidential treatment, please assert a confidentiality claim in accordance with 40 C.F.R. § 2.203(b). If the EPA determines that the information so designated meets the criteria set forth in 40 C.F.R. § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 C.F.R. Part 2, Subpart B. As described in 40 C.F.R. § 2.203(a)(2), the EPA will construe the failure to furnish a confidentiality claim within fourteen (14) calendar days from the date of your receipt of this letter as a waiver of that claim, and information may be made available to the public by the EPA without further notice.

Your certification of correction of the areas of noncompliance identified in this warning letter must be included in a response letter signed by a duly authorized official of your facility. Your response, due thirty (30) calendar days from the date of your receipt of this letter, shall be addressed to:

Cameron McDonald  
Mailcode: WST-3  
RCRA Enforcement Office  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105

If you have questions related to the inspection report or this letter, please contact Cameron McDonald of my staff at (415) 972-3308.

Sincerely,



Loren Henning, Manager  
RCRA Enforcement Office

Enclosure

cc w/o enclosures: Charles McLaughlin, Branch Chief  
State Regulatory Programs Division  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826-3200

Richard Kallman  
City of Santa Fe Fire Department  
11300 Greenstone Avenue  
Santa Fe Springs, CA 90670-4619